

## REMARKS

This Amendment responds to the Final Office Action mailed April 5, 2005 in which the Examiner rejected Claims 1-8, 10-28, and 44-50 and allowed Claims 29-43. By way of response, Applicant has amended Claims 1, 26, 44, and 47. Applicant will address each of the rejections in the order presented in the Office Action.

### SECTION 102(b) and 103(a) REJECTIONS

The Examiner's rejections of the claims herein are based on 35 U.S.C. §102(b) and 103(a). All such rejections rely on either the Brown reference by itself (U.S. Patent No. 2,363,639) or a combination of Brown with other references, such as Khanamirian or Steger et al. Applicant thanks the Examiner for his clarification that he considers "near" to be relative term such that the claims read on the Brown reference.

As discussed in the Applicant's previous amendment, Brown discloses belt stitching at the back of a life jacket with straps that exit the jacket on the front. In contrast, the Applicant has shown and described the stitching as being at or near the openings in the vest cover. Thus, on pages 3 and 4 of the present specification (from page 3, line 33 through page 4, line 9), Applicant discusses the desirability of stitching near the location where the straps pass through the cover. The figures show a preferred embodiment of where the stitching is employed. As described in the specification, such stitching near where the straps pass through the cover provides a smooth surface to the vest and also reduces the opportunity for snagging. This would not be the case with the life preserver disclosed in Brown since the stitching is relatively remote from the openings.

To further clarify the claims to address the Examiner's concern that the stitching cannot be interpreted as being "near" when it is arranged relative to the openings as shown in Brown, Applicant has amended the independent claims to indicate that the belt is stitched to the cover "adjacent" the location where the belt passes through the cover. Applicant notes that Claim 15,

while not currently amended, contain the language “approximately adjacent.” Thus, Applicant believes that all claims clearly set forth the subject matter of the invention in a manner that addresses the Examiner’s concern regarding relative terms.

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## ALLOWABLE CLAIMS

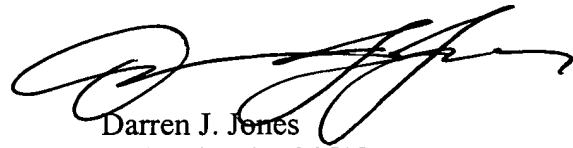
Applicant thanks the Examiner for his indication that Claims 29-43 are allowable.

## CONCLUSION

Based on the remarks and clarifying amendments set forth herein, Applicant submits that all claims define over the prior art of record and request an early Notice of Allowance. If any further questions remain, Examiner is invited to telephone Applicant's attorney at the number listed below.

Respectfully submitted,

BLACK LOWE & GRAHAM<sup>PLLC</sup>



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## MAIL CERTIFICATE

I hereby certify that this communication is being deposited with the United States Postal Service via first class mail under 37 C.F.R. § 1.08 on the date indicated below addressed to: **MAIL STOP AMENDMENT**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

6/3/05

Date of Deposit



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